



Entergy Operations, Inc.  
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Tel 501 856 5000

**Proprietary Information Enclosed**

2CAN010402

January 16, 2004

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555-0001

**SUBJECT:** Arkansas Nuclear One, Unit 2  
Docket No. 50-368  
License No. NPF-6  
Revisions to WesDyne Proprietary Reports in Support of Relaxation from  
Performing a Bare Metal Visual Inspection

**REFERENCES:**

- 1 Entergy letter dated August 2, 2003, *Response to Request for Additional Information on Relaxation from Performing a Bare Metal Visual Inspection on the ANO-2 Reactor Vessel Head* (2CAN080302)
- 2 Entergy letter dated August 2, 2003, *Westinghouse Proprietary Reports in Support of Relaxation from Performing a Bare Metal Visual Inspection on Arkansas Nuclear One, Unit 2* (2CAN080303)

Dear Sir or Madam:

In Reference 1, Entergy provided non-proprietary versions of three WesDyne technical reports in support of a relaxation to Order EA-03-009 that requests alternative inspections in lieu of bare metal visual inspection on the Arkansas Nuclear One, Unit 2 (ANO-2) reactor vessel head. The proprietary versions of these reports were provided in Reference 2. It was subsequently determined that certain portions of the reports required revision. All changes in the reports either correct inconsistent labeling or remove the proprietary status of some information that was previously designated as proprietary. There are no technical changes to the subject reports. The revised non-proprietary versions of the WesDyne reports are contained in Enclosures 2, 3, and 4. The proprietary versions of these reports are contained in Enclosures 5, 6, and 7. A new Westinghouse affidavit is contained in Enclosure 1 which requests the proprietary information to be withheld from public disclosure in accordance with 10CFR2.790(b)(4).

A101

The response to this RAI does not result in any new commitments by Entergy. If you have any questions or require additional information, please contact Steve Bennett at 479-858-4626.

Sincerely,



Sherrie R Cotton  
Director, Nuclear Safety Assurance

SRC/sab

Enclosures

1. Westinghouse Affidavit to Request Withholding of Information from Public Disclosure
- 2: WesDyne Report WDI-TJ-001-02-NP, Rev 2, *Detection of Reactor Head Base Metal Loss from Inside the CRDM* (Non-Proprietary)
- 3: WesDyne Report WDI-TJ-012-03-NP, Rev. 2, *Triple Point Inspection using TOFD Ultrasonic Methods* (Non-Proprietary)
- 4: WesDyne Report WDI-TJ-006-03-NP, Rev 3, *UT of Interference Fit Samples for Leak Path* (Non-Proprietary)
- 5: WesDyne Report WDI-TJ-001-02-P, Rev 3, *Detection of Reactor Head Base Metal Loss from Inside the CRDM* (Proprietary)
- 6: WesDyne Report WDI-TJ-012-03-P, Rev. 2, *Triple Point Inspection using TOFD Ultrasonic Methods* (Proprietary)
- 7: WesDyne Report WDI-TJ-006-03-P, Rev 3, *UT of Interference Fit Samples for Leak Path* (Proprietary)

cc: Dr. Bruce Mallet  
Regional Administrator  
U. S. Nuclear Regulatory Commission  
Region IV  
611 Ryan Plaza Drive, Suite 400  
Arlington, TX 76011-8064

NRC Senior Resident Inspector  
Arkansas Nuclear One  
P. O. Box 310  
London, AR 72847

U. S. Nuclear Regulatory Commission  
Attn: Mr. Thomas W. Alexion MS O-7D1  
Washington, DC 20555-0001

Mr. Bernard R. Bevill  
Director Division of Radiation  
Control and Emergency Management  
Arkansas Department of Health  
4815 West Markham Street  
Little Rock, AR 72205

**Enclosure 1**

**2CAN010402**

**Westinghouse Affidavit to Request Withholding of Information  
from Public Disclosure**



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USA

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555-0001

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Our ref: CAW-03-1725

October 24, 2003

**APPLICATION FOR WITHHOLDING PROPRIETARY  
INFORMATION FROM PUBLIC DISCLOSURE**

Subject: Submittal of WesDyne International LLC Reports

1. WDI-TJ-001-02-P, Rev. 3, "Detection of Reactor Head Base Metal Loss from Inside that CRDM Penetration" (Proprietary)
2. WDI-TJ-006-03-P, Rev. 3, "Ultrasonic Testing of Interference Fit Samples for Leak Path Detection" (Proprietary)
3. WDI-TJ-012-03-P, Rev. 2, "Triple Point Inspection using TOFD Ultrasonic Methods" (Proprietary)

Reference: Letter CARC2-03-33, "Transmittal of Alloy 600 Documentation," October 21, 2003.

The proprietary information for which withholding is being requested in the above-referenced report is further identified in Affidavit CAW-03-1725 signed by the owner of the proprietary information, Westinghouse Electric Company LLC. The affidavit, which accompanies this letter, sets forth the basis on which the information may be withheld from public disclosure by the Commission and addresses with specificity the considerations listed in paragraph (b)(4) of 10 CFR Section 2.790 of the Commission's regulations.

Accordingly, this letter authorizes the utilization of the accompanying affidavit by Entergy Nuclear South.

Correspondence with respect to the proprietary aspects of the application for withholding or the Westinghouse affidavit should reference this letter, CAW-03-1725 and should be addressed to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. S. Galembush'.

J. S. Galembush, Acting Manager  
Regulatory Compliance and Plant Licensing

Enclosures

cc: J. Dyer  
D. Holland  
B. Benney  
E. Peyton

bcc: H. A. Sepp (ECE 4-7A) 1L  
R. Bastien, 1L, 1A (Nivelles, Belgium)  
C. Brinkman, 1L, 1A (Westinghouse Electric Co., 12300 Twinbrook Parkway, Suite 330, Rockville, MD 20852)  
RCPL Administrative Aide (ECE 4-7A) 1L, 1A (letter and affidavit only)


AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

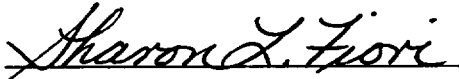
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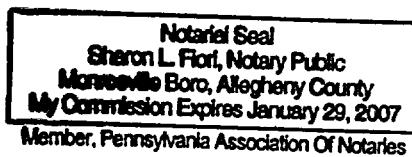
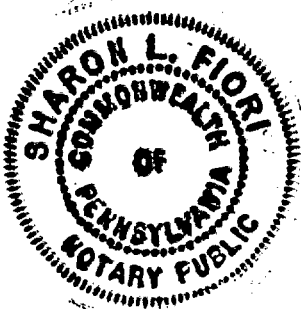
COUNTY OF ALLEGHENY:

Before me, the undersigned authority, personally appeared J. S. Galembush, who, being by me duly sworn according to law, deposes and says that he is authorized to execute this Affidavit on behalf of Westinghouse Electric Company LLC ("Westinghouse"), and that the averments of fact set forth in this Affidavit are true and correct to the best of his knowledge, information, and belief:

  
\_\_\_\_\_  
J. S. Galembush, Acting Manager  
Regulatory Compliance and Plant Licensing

Sworn to and subscribed  
before me this 24<sup>th</sup> day  
of October, 2003

  
\_\_\_\_\_  
Notary Public



- (1) I am Acting Manager, Regulatory Compliance and Plant Licensing, in Nuclear Services, Westinghouse Electric Company LLC ("Westinghouse"), and as such, I have been specifically delegated the function of reviewing the proprietary information sought to be withheld from public disclosure in connection with nuclear power plant licensing and rule making proceedings, and am authorized to apply for its withholding on behalf of the Westinghouse Electric Company LLC.
- (2) I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.790 of the Commission's regulations and in conjunction with the Westinghouse application for withholding accompanying this Affidavit.
- (3) I have personal knowledge of the criteria and procedures utilized by the Westinghouse Electric Company LLC in designating information as a trade secret, privileged or as confidential commercial or financial information.
- (4) Pursuant to the provisions of paragraph (b)(4) of Section 2.790 of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
  - (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
  - (ii) The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. Westinghouse has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitutes Westinghouse policy and provides the rational basis required.

Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:

    - (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of



Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.

- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- (c) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
- (f) It contains patentable ideas, for which patent protection may be desirable.

There are sound policy reasons behind the Westinghouse system which include the following:

- (a) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.
- (b) It is information that is marketable in many ways. The extent to which such information is available to competitors diminishes the Westinghouse ability to sell products and services involving the use of the information.
- (c) Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.

- (d) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving Westinghouse of a competitive advantage.
  - (e) Unrestricted disclosure would jeopardize the position of prominence of Westinghouse in the world market, and thereby give a market advantage to the competition of those countries.
  - (f) The Westinghouse capacity to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.
- (iii) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.790, it is to be received in confidence by the Commission.
- (iv) The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of our knowledge and belief.
- (v) The proprietary information sought to be withheld in this submittal is that which is appropriately marked in WDI-TJ-001-02-P, Rev. 3, "Detection of Reactor Head Base Metal Loss from Inside that CRDM Penetration" (Proprietary), dated 9/12/03 and WDI-TJ-006-03-P, Rev. 3, "Ultrasonic Testing of Interference Fit Samples for Leak Path Detection" (Proprietary), dated 8/14/03, WDI-TJ-012-03-P, Rev. 2, "Triple Point Inspection using TOFD Ultrasonic Methods" (Proprietary), dated 9/23/03 and being transmitted by Entergy Nuclear South letter and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted for use by Westinghouse Electric Company LLC for ANO Unit 2 and Waterford Unit 3 is expected to be applicable for other licensee submittals in response to certain NRC requirements for justification of non-destructive examination techniques.

This information is part of that which will enable Westinghouse to:

- (a) Detect metal loss of the reactor head.
- (b) Test interference fit samples for leak path detection.
- (c) Detection of PWSCC-type indications.

Further this information has substantial commercial value as follows:

- (a) Westinghouse plans to sell the use of similar information to its customers for purposes of reactor head inspection.
- (b) Westinghouse can sell support and defense of inspection results.
- (c) The information requested to be withheld reveals the distinguishing aspects of a methodology which was developed by Westinghouse.

Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar examinations and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

The development of the technology described in part by the information is the result of applying the results of many years of experience in an intensive Westinghouse effort and the expenditure of a considerable sum of money.

In order for competitors of Westinghouse to duplicate this information, similar technical programs would have to be performed and a significant manpower effort, having the requisite talent and experience, would have to be expended.

Further the deponent sayeth not.

## **PROPRIETARY INFORMATION NOTICE**

Transmitted herewith are proprietary and/or non-proprietary versions of documents furnished to the NRC in connection with requests for generic and/or plant-specific review and approval.

In order to conform to the requirements of 10 CFR 2.790 of the Commission's regulations concerning the protection of proprietary information so submitted to the NRC, the information which is proprietary in the proprietary versions is contained within brackets, and where the proprietary information has been deleted in the non-proprietary versions, only the brackets remain (the information that was contained within the brackets in the proprietary versions having been deleted). The justification for claiming the information so designated as proprietary is indicated in both versions by means of lower case letters (a) through (f) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These lower case letters refer to the types of information Westinghouse customarily holds in confidence identified in Sections (4)(ii)(a) through (4)(ii)(f) of the affidavit accompanying this transmittal pursuant to 10 CFR 2.790(b)(1).

## **COPYRIGHT NOTICE**

The reports transmitted herewith each bear a Westinghouse copyright notice. The NRC is permitted to make the number of copies of the information contained in these reports which are necessary for its internal use in connection with generic and plant-specific reviews and approvals as well as the issuance, denial, amendment, transfer, renewal, modification, suspension, revocation, or violation of a license, permit, order, or regulation subject to the requirements of 10 CFR 2.790 regarding restrictions on public disclosure to the extent such information has been identified as proprietary by Westinghouse, copyright protection notwithstanding. With respect to the non-proprietary versions of these reports, the NRC is permitted to make the number of copies beyond those necessary for its internal use which are necessary in order to have one copy available for public viewing in the appropriate docket files in the public document room in Washington, DC and in local public document rooms as may be required by NRC regulations if the number of copies submitted is insufficient for this purpose. Copies made by the NRC must include the copyright notice in all instances and the proprietary notice if the original was identified as proprietary.